

Notic of Allowability

Application N .

09/902,910

Examiner

Jennifer E. Novosad

Applicant(s)

PARROTT, JOHN C.

Art Unit

3634

-- The MAILING DATE of this communication appears n the cover sheet with the c rresp ndence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amdt. of 3/15/04 and the telephone interview of 3/31/04.
2. ☒ The allowed claim(s) is/are 31-34 and 41-68.
3. ☒ The drawings filed on 7/10/01, 11/25/02, and 3/15/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) f each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3-31-2004 .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David B. Waller on March 31, 2004.

The application has been amended as follows:

In Claim 31

Line 2, a --,-- has been inserted after "cabinet".

Line 16, "connected rod" has been changed to--connecting rod--.

Line 19, --one-- has been inserted after "least".

Line 19, "said" has been changed to --an--.

In Claim 32

Line 2, a --,-- has been inserted after "cabinet".

Line 16, "connected rod" has been changed to--connecting rod--.

Line 18, "said" (before "at least") has been deleted.

Line 19, "said" has been changed to --an--.

In Claim 33

Line 2, a --,-- has been inserted after "cabinet".

Line 19, "said" has been deleted.

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In Claim 34

Line 2, a --,-- has been inserted after "cabinet".

Line 18, "said" (second occurrence) has been deleted.

Line 19, "said" has been deleted.

In Claim 49

Lines 3-7, "said attachment device... said mounting means" has been changed to --said mounting means is for securing said curtain to said side walls--.

In Claim 50

Lines 3-7, "said attachment device... said mounting means" has been changed to --said mounting means is for securing said curtain to said side walls--.

In Claim 51

Lines 3-7, "said attachment device... said mounting means" has been changed to --said mounting means is for securing said curtain to said side walls--.

In Claim 52

Lines 3-7, "said attachment device... said mounting means" has been changed to --said mounting means is for securing said curtain to said side walls--.

In Claim 53

Lines 3-7, ", the thermal barrier... said mounting means" has been deleted.

In Claim 54

Lines 3-7, ", the thermal barrier... said mounting means" has been deleted.

In Claim 55

Lines 3-7, ", the thermal barrier... said mounting means" has been deleted.

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In Claim 56

Lines 3-7, ", the thermal barrier... said mounting means" has been deleted.

In Claim 57

Lines 6 and 16, a --,-- has been inserted after "area".

Line 9, a --,-- has been inserted after "cabinet".

Line 18, "connected rod" has been changed to--connecting rod--.

Line 21, --one-- has been inserted after "least".

In Claim 58

Line 9, a --,-- has been inserted after "cabinet".

Line 16, a --,-- has been inserted after "area".

Line 18, "connected rod" has been changed to--connecting rod--.

In Claim 59

Lines 6 and 16, a --,-- has been inserted after "area".

Line 9, a --,-- has been inserted after "cabinet".

Line 10, a --,-- has been inserted after "rod".

In Claim 60

Line 5, a --,-- has been inserted before "wherein".

Lines 6 and 16, a --,-- has been inserted after "area".

Line 9, a --,-- has been inserted after "cabinet".

Line 10, a --,-- has been inserted after "rod".

In Claim 61

Line 4, a --,-- has been inserted after "area".

Line 7, a --,-- has been inserted after "cabinet".

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Line 9, a --,-- has been inserted after "rod".

Line 11, a --,-- has been inserted before "wherein".

Line 12, "connected rod" has been changed to--connecting rod--.

Line 15, --one-- has been inserted after "least".

Line 16, "said" has been changed to --an--.

In Claim 62

Lines 3 and 7, a --,-- has been inserted after "cabinet".

Line 3, a --,-- has been inserted after "side".

Line 4, a --,-- has been inserted after "area".

Lines 9 and 11, a --,-- has been inserted before "wherein".

Line 12, "connected rod" has been changed to--connecting rod--.

Line 15, "said" (after "causing") has been deleted.

Line 15, "said" (after "with") has been changed to --an--.

In Claim 63

Lines 3 and 7, a --,-- has been inserted after "cabinet".

Line 3, a --,-- has been inserted after "side".

Line 4, a --,-- has been inserted after "area".

Lines 9 and 11, a --,-- has been inserted before "wherein".

Line 16, "said" has been deleted.

In Claim 64

Lines 3 and 7, a --,-- has been inserted after "cabinet".

Line 3, a --,-- has been inserted after "side".

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Line 4, a --,-- has been inserted after "area".

Lines 9 and 11, a --,-- has been inserted before "wherein".

Line 15, "said" has been deleted.

Line 16, "said" (before "adjacent") has been deleted.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or suggest a thermal barrier as called for in the claimed combinations of claims 31-34 and 57-64 (i.e., 31-34 recite the subcombination of the thermal barrier, claims 57-60 recite a method comprising the thermal barrier, and claims 61-64 recite a kit comprising the thermal barrier), whereby the displacement apparatus defines a motor and a light sensor which activates the motor to rotate the connecting rod causing a flap to be moved out of alignment with adjacent flaps (see claims 31, 32, 57, 58, 61, and 62) or whereby the displacement apparatus defines an activation shaft connected to the connecting rod (see claims 33, 34, 59, 60, 63, and 64) which activates the connecting rod to rotate and thereby causing a flap to be moved out of alignment with adjacent flaps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

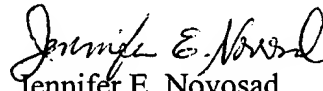
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is (703)-

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305-2872. The examiner can normally be reached on Monday-Thursday, 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703)-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer E. Novosad
Primary Examiner
Art Unit 3634

Jennifer E. Novosad/jen
March 31, 2004